

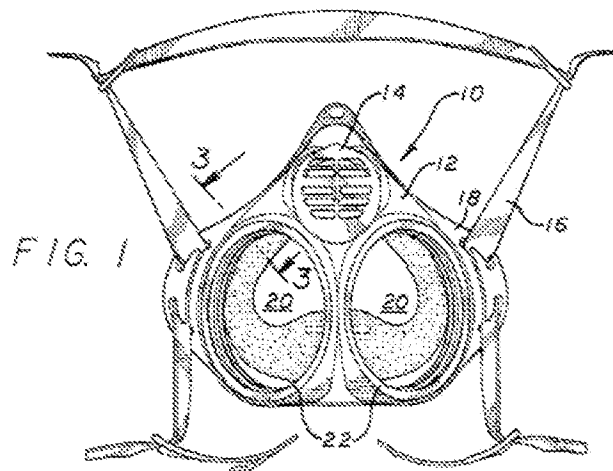
### REMARKS

Minor corrections have been made to claims 12, 15 and 20, and new claims 24-26 have been added to this application. Therefore claims 1-26 are now pending.

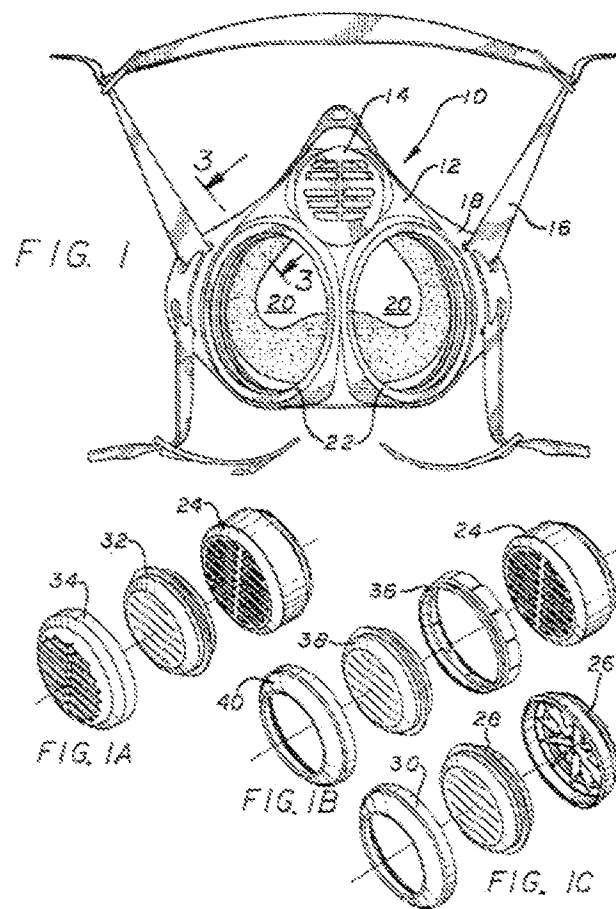
Applicants also have amended the definition of "fluid communication component" to indicate that the fluid communication component is an element that is not part of the filter cartridge.

Claims 1-4, 13, 14, 16-19, and 21-23 have been rejected under 35 USC § 102(b) as being anticipated by U.S. Patent 6,298,849 to Scholey et al. (Scholey). Applicants respectfully submit that this rejection cannot be sustained.

Scholey describes a respirator mask 10 that has a snap-in filter cartridge 24. Scholey's respirator mask 10 includes a mask body 12, an exhalation valve 14, and a strap harness 16:



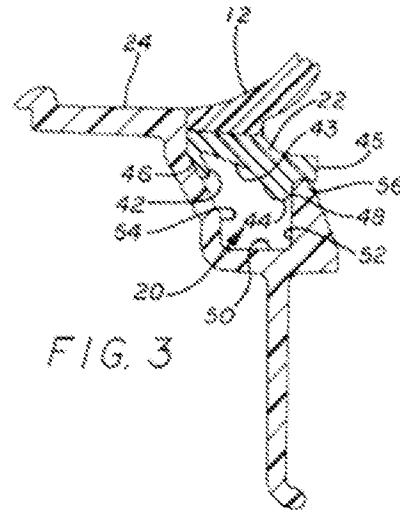
The mask body 12 is a unitary molded member of a thin rigid plastic and has overmolded portions 18 arranged around the inner face area of the mask to form a rubber-like flange member for supporting and sealing the mask to the face of the user (column 2, lines 43-47). Figures 1a-1c illustrate exploded views of filter cartridges or cartridge assemblies that can be used with the mask of Figure 1:



Scholey states that "[t]he filter cartridges 24 are complete cartridges in themselves, whereas the filter assembly members 26 require additional members such as a replaceable filter member 28 and a cover member 30 to form a total filter assembly."<sup>1</sup>

An overmolded rubber-like flange member 22 is located within each cartridge opening 20 to receive and seal cartridges within the cartridge openings 20:

<sup>1</sup> See *Scholey* at column 2, lines 56-60.



Two flange members 42 and 44 provide for two sealing surfaces 46 and 48 when used in combination with the filter cartridge 24 or a cartridge assembly member 26.

Applicants claim terms "compliant faced contacting member", "face piece insert", "fluid communication component", and "mask body" are reproduced below for ease of reference:

"compliant face contacting member" means the portion of a mask body that engages the facepiece insert directly or otherwise and is compliantly fashioned for making contact with a person's face to allow the mask body to be comfortably supported over a person's nose and mouth.

"facepiece insert" means a rigid element(s) that is fashioned to form part of the mask body but is made separate from the compliant face contacting member to provide structural integrity to the mask body to allow filtration elements and/or valves to be adequately secured thereto.

"fluid communication component" means an element that is structured to allow a fluid to pass from an interior gas space to an exterior gas space or vice versa.

"mask body" means a structure that can fit over the nose and mouth of a person and that can help define an interior gas space separated from an exterior gas space.

In the Office Action, the Examiner identifies Scholey's filter cartridge 24 as being a "fluid communication component". Applicants have amended the definition of "fluid communication component" to clearly specify that it is not part of a filter cartridge. The definition of fluid

communication component in applicants' specification and claims clearly identify the filter cartridge as being a part separate from the fluid communication component. Because Scholey's parts 24 and 26 are clearly parts of the filter cartridge, they do not qualify as a fluid communication component as defined in the present application. Scholey therefore does not disclose a fluid communication component that is secured to the supporting portion of a face piece insert. Accordingly, Scholey would not have anticipated applicants' invention under the terms of 35 USC § 102.

Claims 5-12, 15 and 20 also have been rejected under 35 USC § 103 for being obvious over Scholey. Applicants respectfully submit that this rejection too cannot be sustained. As indicated above, Scholey fails to suggest a fluid communication component that is secured to the supporting portion of a face piece insert. Without any teaching or suggestion of this basic feature of applicants' invention, Scholey would not have rendered applicants' invention obvious to a person of ordinary skill.

Please reconsider the outstanding rejections in light of the amendment and comments provided above.

Respectfully submitted,

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Date

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